

REMARKS

Claims 13, 14, 16-18, and 27-33 are pending. Claims 1-12 and 15, as well as previously withdrawn claims 19-26, have been canceled. Claims 28-33 have been added.

The Examiner rejected Claims 13 and 15-18 under 35 U.S.C. §102(b) as being anticipated by EP 0 022 732 ("EP '732") and rejected Claims 13, 14, and 16 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,753,325 to Stanley et al. ("Stanley et al. '325").

EP '732 discloses a wall system, shown in Figs. 1-5, including what appear to be extruded frame elements 7 (Fig. 2) attachable directly to the walls (and perhaps also to the ceiling and floor) of a building space. A plurality of casing members 1 (Fig. 1) are attachable to frame members 7 via spring clips 6 for retaining tiles 15 and/or windows 19 within the interior space which is bounded by frame elements 7 in the manner shown in Figs. 3-5. Specifically, spring clips 6 include first portions mounted within channels 5 of casings 1, and include second portions received within channels 12 of frame members 7.

Stanley et al. '325 discloses a wall structure, shown in Fig. 1, including channel members 16 and 18 mounted to ceiling 12 and floor 14, respectively, and a plurality of vertical studs 10 spaced between channel members 16 and 18. Panels 32 are mounted to studs 10 via spring clip elements 42, such as those shown in Fig. 2, which are attached to plates 34 of panels 32 and which include curved portions 44 receivable within orificed areas 26 of studs 10. Similar embodiments are shown in Figs. 3-10.

Applicants respectfully submit that amended independent Claims 13 and 28 are not anticipated by either EP '732 or Stanley et al. '325 because each of the foregoing references fails to disclose each and every element called for in the foregoing claims.

Specifically, each of EP '732 and Stanley et al. '325 fails to disclose a partition system for partitioning a workspace having a floor and a ceiling, and including either: a frame including at least one vertical frame member and at least one horizontal frame member, the horizontal frame member spaced from the floor and the ceiling (Claim 13) or a plurality of separate frames connected to one another, each frame including at least one vertical frame member and at least one horizontal frame member, the horizontal frame members spaced from the floor and the ceiling (Claim 28).

Referring to Fig. 2A of the present patent application, for example, it may be seen that Applicants' partition system includes a plurality of frames each including at least one vertical frame member 58 and at least one horizontal frame member 60, in which at least one of the horizontal frame members 60 is spaced from the floor and the ceiling. For example, in Fig. 2A the lower horizontal frame member 60 is spaced from the floor and the upper horizontal frame member 60 is spaced from the ceiling.

In contrast to the foregoing, EP '732 and Stanley et al. '325 each disclose continuous building frame constructions in which the horizontal frame members thereof are mounted directly to the floor and ceiling of an interior workspace. For example, Stanley et al. '325 discloses a system including continuous transverse channel members 16 and 18 mounted directly to ceiling 12 and floor 14, respectively, and a plurality of vertical studs 10 therebetween. The system of Stanley et al. '325 lacks at least one horizontal frame member spaced from ceiling 12 and floor 14. EP '732 appears to disclose a similar arrangement.

Additionally, EP '732 and Stanley et al. '325 each fail to disclose a partition system including at least one spring clip removably attached to each of horizontal and vertical frame members of a frame, and a partition system component including a plurality of receiving elements through which body portions of the spring clips are received, as called for in independent Claims 13 and 28.

By contrast, EP '732 discloses spring clips 6 which are attached to casing members 1, not to frame elements 7. Further, it is unclear from EP '732 whether spring clips 6 are attached to both horizontal and vertical frame elements in the system. In Stanley et al. '325, the spring clips are mounted to panels 32, as opposed to vertical studs 10, and furthermore, are not mounted to the horizontal channels 16 and 18 in addition to the vertical studs 10.

Thus, Applicants respectfully submit that independent Claims 13 and 28 are not anticipated by EP '732 or Stanley et al. '325 and further submit that Claims 14, 16-18, and 29-33 which depend therefrom, are also not anticipated by EP '732 or Stanley et al. '325.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested. Specifically, Applicants respectfully submit that the application is in condition for allowance and respectfully request allowance thereof.

Application Serial No. 10/821,030
Amendment dated July 5, 2005
Reply to Office Action dated March 17, 2005

In the event Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefore and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Should the Examiner have any further questions regarding any of the foregoing, he is respectfully invited to telephone the undersigned at (260) 424-8000.

Respectfully submitted,



Adam F. Cox
Registration No. 46,644

Attorney for Applicants

AFC/mt

BAKER & DANIELS
111 East Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

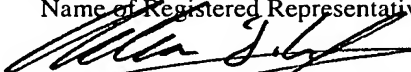
Enc. Return Postcard

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: July 5, 2005

ADAM F. COX, REG. NO. 46,644

Name of Registered Representative



Signature

July 5, 2005

Date